

# The Smithfield Herald

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Number 1

## FEATURES OF THE TORRENS LAND LAW

The Measure Passed By Recent Legislature Explained for Herald Readers.

One of the most important state-wide bills enacted by the recent legislature was what is known as the Torrens Land Title bill, and it is of more than passing interest to our readers because it was drawn, introduced and championed on the floor of the House by one of Johnston's representatives, Mr. L. H. Allred, Esq. Although the law is optional it is believed by its promoters that when once its great advantages are known it will be almost universally adopted in this state, as the law has proved to be very popular in states which already have it.

For the benefit of our readers we will endeavor to give the substance of the act.

The proceeding to register land or torrenize it, as it is sometimes called, is begun before the clerk of the superior court by petition in which is set forth a full description of the land, from whom and how obtained, names of all interested parties, mortgagees, lienholders, adjoining land owners, and the like. A summons, is then issued by the clerk and served upon all interested parties and adjoining landowners, (publication to be made of summons where actual personal service cannot be had,) and a day fixed for the hearing within sixty days. In the meantime a notice is also published in some newspaper for 30 days warning the general public of the scope and nature of the proceeding, in order that all interested parties whether named in the original petition or not may have notice and come in and make themselves parties to the proceeding.

If the facts set up in the petition are denied an answer must be filed as in other special proceedings and if questions of fact are raised the whole proceeding is transferred to the superior court for trial by judge and jury. If no answer is filed or questions or issues of fact raised the hearing is proceeded with before the clerk, whose final order granting certificate of registration and all proceedings are carefully examined and approved by a superior court judge.

After summons and petition the title must be carefully abstracted and examined by the county examiner who must be a competent lawyer, appointed for a term of 4 years who must have no interest direct or remote in the land involved, and his report, made to the clerk, must contain full history of the title and recite and all mortgages, judgments, liens, unpaid taxes, or other defects. Any parties to the proceeding who find that they have no interest in the proceeding and that their land is not involved may so indicate in writing and be relieved at once from further trouble or costs of the proceeding.

Any party dissatisfied with the finding of the court or that of the examiner may file exceptions and appeal direct to the superior court, and thence on to the supreme court as in other proceedings.

If final judgment is entered before the clerk and no appeal taken, certificate of registration must thereupon be issued to the owner; and likewise, the owner obtains from the superior court to which the case is removed or appealed similar certificate of registration.

This certificate is recorded in the office of the register of deeds, and if there are mortgages or liens the same must be shown on these owner's certificate. All subsequent liens or encumbrances must likewise be noted not only on the owner's certificate but also upon registration book,—loose leaf book especially prepared for the purpose of this act—with penalty against the owner and register of deeds for failure to note encumbrances, etc.

One or more bodies of land may be registered under the same proceeding. Also parcels of any body of land may be mortgaged and so indicated by proper notation. Ample

provision will also be made by proper form for sales of any part of the registered land. Also proper notation is to be made by sheriff for unpaid taxes.

When once registered in accordance with this act, the title is good against every one including the State, which absolutely guarantees the title.

For the benefit of minors, non-residents and others under disability who may be barred of their rights through innocent mistakes or misadventure, an assurance fund is provided by taxing in the bill of costs 1-10 of 1 per cent of the assessed valuation of land registered, which amount goes into the state treasury to make up an assurance or redemption fund to reimburse innocent losers. Of course all know minors, idiots, and the like, are represented by guardians or next friends as in other special or like proceedings.

The amount taxed as an assurance fund may appear to be inconceivably small, yet a similar assessment in Massachusetts where the system has been in vogue for only a few years has already accumulated more than one half million dollars.

The cost of torrenizing land of course cannot be stated for certain, as the amount will vary according to each individual case, depending upon the number of parties, witnesses, expense of survey, appeal, etc., but it is conservatively estimated that it will range from \$30 to \$40.00.

It is well to remove one gross misconception of the Torrens idea of land registration in the beginning, and that is, that one may carry his certificate about in his pocket and borrow upon it as upon a corporate stock certificate; this he can do, but of course one's wife must join in the short form mortgage just as at present.

However, here are so many valuable advantages which will accrue to the holder of a Torrens Certificate that space at this time will not permit of further elaboration.

It is confidently believed that when the act goes into operation on January 1, 1914, after special registration books, forms and so forth are prepared, the people of the county and State will find it of invaluable importance to them and that the system will soon grow upon the state, and quite early bring into vogue a safe, sound and well nigh perfect system of land registration to replace the present, unsettled and loose system of land titles.

## SELMA NEWS.

Dr. George D. Vick has returned from New York, where he went a few weeks ago to take a course in medicine. His early return was caused by the illness of his son in Richmond where Mrs. Vick was visiting her parents, Rev and Mrs. B. Lacy Hoge. The little fellow is better now, we are glad to note.

Mrs. Robert J. Noble left Monday to visit relatives and friends in Caldwell county.

We hear that there was a very interesting game of Basket Ball between Smithfield and Selma Tuesday at Smithfield. The score was 2 to 2. Didn't we tell you young ladies that our Selma girls were after you and you had better look out? Well, it's coming. Look out.

Mr. John H. Parker took his son, James H. Parker, to Aberdeen last Monday for treatment at the Tuberculosis Hospital. We hope for a speedy recovery.

Our town was shocked last Monday morning to hear that Mr. John R. Warren, section foreman on the Southern at this place had been instantly killed by a freight train at Greensboro. He was a splendid man, liked by every one and his genial presence will be missed. The Masons sent Messrs. John Waddell, J. W. Stanley, and Ernest V. Deans as representatives from Selma lodge No. 320, and Selma chapter No. 65. His remains were interred at Wards, S. C., and his daughters, Misses Lois and Eunice, and con, J. C. Warren, accompanied the remains. The sympathy of our people are with his stricken family, a wife and one son, Paul, besides those mentioned above, are left to mourn his death and irreparable loss.

Selma April 3.

## TURLINGTON GRADED SCHOOL BUILDING

Corner Stone Laid Yesterday With Impressive Ceremonies by Masons

The corner stone of Turlington Graded School building was laid yesterday under the auspices of the Grand Lodge of Masons with appropriate ceremonies. Prof. T. J. Alderman, Superintendent of the city schools of Henderson, N. C. was in charge of the exercises as acting Grand Master. A large number of Masons of Fellowship and other Lodges of the county were present to assist in the impressive scene.

The ceremonies were conducted by the following officers:

J. T. Alderman, of Henderson, Grand Master.

Dr. R. J. Noble, Deputy Grand Master.

W. S. Stevens, Senior Grand Warden.

J. D. Underwood, Junior Grand Warden.

T. R. Hood, Grand Treasurer.

J. A. Massey, Grand Secretary.

F. H. Brooks, Grand Chaplain.

L. H. Allred, Grand Lecturer.

J. D. Parker, Senior Grand Deacon.

Jim Outland, Junior Grand Deacon.

C. S. Powell, Grand Marshal.

J. W. Setzer, Grand Sword Bearer.

Teon Ennis, Grand Steward.

J. W. Strickland, Grand Steward.

R. H. Bradley, of Raleigh, Grand Tyler.

N. B. Grantham, Grand Architect.

R. L. Hill, Grand Pursuivant.

A fuller account of the exercises will be given in our next issue.

## RALEIGH ADOPTS NEW FORM OF GOVERNMENT.

Raleigh, April 1.—By a landslide vote the people of Raleigh today adopted the commission form of government, the majority for it being 685. Every precinct gave a majority, only 460 votes being cast against commission. The total vote was 1,608.

Already candidates are being spoken of for commissioners. It is likely that Mayor Johnson will enter for mayor. The primary will be held April 21 and the election May 5.

The opponents of commission government said tonight that they would not have any candidates for office but would support the ticket named by the advocates. The fight was the least bitter of any contest held here in years.

## BARACA-PHILATHEA STATE CONVENTION.

Charlotte, April 3.—The third annual Baraca-Philathea State Convention, which meets in Charlotte, April 12-15, promises to excel in every particular any former gathering of its kind. The "Queen City" has 60 live Philathea and Baraca classes, and the homes of her citizens are being generously offered for the entertainment of more than 100 visiting delegates, who are expected from all sections of the state. Several hundred names have already been received at Baraca-Philathea headquarters in Greensboro, and it is believed that a larger number of classes will be represented this year than ever before.

## Defeat Commission Government.

Durham, April 1.—Durham defeated the commission form of government today in no uncertain manner. The vote was 846 against and 82 for.

## BURKE IS NOW TREASURER.

Washington, April 1.—Former Governor John Burke, of North Dakota, today took the oath of office as treasurer of the United States, succeeding Carmi A. Thompson, who turned over \$1,426,422.051.48 2-3 to the custody of the new Democratic official. The two thirds cent is part of a Tennessee state bond held in the assets of the government.

## J. PIERPONT MORGAN PASSES AWAY IN ROME

World's Greatest Financier Dead at Age of Seventy-Six

Rome, Italy, March 31.—J. Pierpont Morgan, the New York financier, died here today a few minutes after noon. For months his health had been declining but the symptoms became greatly aggravated about a week ago, and since Wednesday last he had been in semi-comatose condition.

Tonight his body, lying in the death chamber, is surrounded with flowers. Messages of sympathy have been received from King Victor Emmanuel, high officials of state, diplomatic representatives and from many personal friends in all parts of the world.

The death of Mr. Morgan was not known in Rome until several hours after it occurred, owing to the desire that Mr. Morgan's son, J. Pierpont Morgan, Jr., who is in New York, should first be notified.

The official statement prepared by Dr. Giuseppe Bastianelli, Dr. M. Allen Starr and Dr. George A. Dixon, the attending physicians, indicated that a gradual general collapse followed a condition of nervous prostration, which prevented the digestive organs from performing their functions and affected the mental faculties.

For five days Mr. Morgan received artificial nourishment, but was unable to assimilate the food. As a result he very rapidly lost strength. For many hours prior to his death he was in a condition of semi-coma, which prevented him from recognizing those about him. His end was without suffering.

## CAREER OF FINANCIER.

John Pierpont Morgan was born at Hartford, Conn., April 17, 1837.

His father, Junius Spencer Morgan, and his mother, Juliet Pierpont, were descendants of old New England stock. Both were noted families.

He was educated first in the public schools of Hartford, later graduated from a Boston High school, and finished his studies at the University of Goettingen, Germany. He was an ordinary scholar, evidencing no brilliant streaks of mentality.

Entered banking house of Duncan, Sherman & Co. as clerk in 1857. Became United agent for London banking firm of George Peabody & Co., of which his father was a member, in 1860.

Married Amelia Louise Sturges, 1861. She died 1862.

Married Louise Tracy, 1865. Had one son and three daughters.

Became member of respective firms of Dabney, Morgan and Company and Drexel, Morgan & Co., in 1864 and 1871. The latter firm became J. P. Morgan & Co.

Floated bond issue of \$200,000,000 during President Cleveland's administration.

Organized the United States Steel Corporation in 1901, capital \$1,100,000,000, and floated the securities. Secured American subscription to British war loan of 1901 amounting to \$50,000,000.

Controlled 50,000 miles of railways, large American and British ocean transportation lines, and English traction railways.

Gave \$1,500,000 for site and buildings for lying-in hospital in New York. Other benefactions total millions.

Twice won the international yacht races with the yacht Columbia, which he caused to be built.

Checked a disastrous panic in 1907 by personally taking hold of the situation and dumping millions of dollar into the New York Stock Exchange.

Testified before the Pujo committee in 1913 that here was no "money trust" and could be none.

Made famous collections of paintings, bronzes, and antique art, including the famous Gainsborough painting, which he later turned over to the Metropolitan Museum of Art in New York City.

J. P. Morgan's enormous power is indicated by these figures:

Controlled or dominated 134 banks and corporations with resources and

capitalization aggregating \$22,325,000,000.

Dominated 150,000 miles of railroad with total securities of \$11,784,000,000.

Dominated industrial concerns capitalized at \$3,333,000,000.

Controlled banking resources of \$2,759,000,000.

Controlled Insurance Companies with assets amounting to \$2,293,000,000.

Dominated public utilities capitalized for \$2,150,000,000.

In eleven years since flotation of \$1,400,000,000 Steel Corporation the Morgan banking houses sold securities to amount of \$1,966,000,000.

Private fortune estimated at \$250,000,000.

Art collections worth \$50,000,000.

## SPILONA COMMENCEMENT.

A large audience was in attendance at the Spilona commencement, March 22, 1913. The program began at 2:30 P. M., with the welcome address by Seth Barbour, one of the bright little pupils of the second grade, next came the welcome song, "You're Welcome if you keep right still," sung by seven girls, followed by a series of recitation, by the little ones, too numerous to mention here.

Rev. Mr. Massengill, in a few select words introduced Prof. A. Vermont, of Smithfield Graded school, who made a most able and helpful talk on "Education." At the close of his address he introduced Rev. Mr. Trott, of Durham, who by chance accompanied Mr. Vermont on the occasion and made a much enjoyed and humorous talk for us. We were very much delighted and I believe benefited by having these efficient men in our midst. Since the coming of Prof. Vermont in our county a great step has been taken for the advancement of education to which we owe him a great deal, he being at the head of the teachers' organization in the county.

After the addresses came a recitation "Aunt Jemima's Courtship" by Ruth Lassiter. Then a very amusing play, "Borrowing Trouble" by eight characters, followed by "The Valedictory" by Aden Lassiter.

The evening exercises began at 8:00 o'clock being as follows:

"Deacon Jones' Party" by Herbert Honeycutt.

"Our Aunt from California," by six girls.

Pantomime—"Auld Lang Syne," by Martha King and William Creech.

"How to Tame your Mother-in-Law" by six characters.

"Death of Squire Jones", by three characters.

"Uncle Dick's mistake," by five characters.

Song—"It's Time to Tell you all Good-bye."

Music was rendered by Penny Bros. Band, which added much to the pleasure of the audience.

Cards of Honor were given to the eight pupils, who had been present every day for the entire term of four months.

Two districts were consolidated and a new house built at Spilona last fall. The average daily attendance for the entire term has increased about sixteen over the two separate districts last year. The educational development is easily seen when people take an interest in the great and good cause as have the people of Spilona. Much is due to the efficient teachers, Miss Ida Etheridge, principal, and Miss Inez Cheek, assistant, who worked faithfully together for the growth of the pupils, physically, morally, and intellectually, and for the general development of the community at large.

Joy Bells.

## "BOB" PHILLIPS DIES SUDDENLY.

Greensboro, N. C. April 2.—Robert Masten Phillips, associate editor of the Greensboro Daily News, died suddenly of heart failure at his country home near Carthage, N. C. tonight. He went there last week for a 10 days rest after strenuous work during his attendance at the late session of the State Senate in which body he served as reading clerk.

Mr. W. G. Parrish, of Jonesboro, was in town Friday and renewed his subscription to The Herald.

## SELMA MAN IS KILLED BY TRAIN

John Warren Tried to Board Train in Greensboro With Fatal Results

Greensboro, March 31.—John Warren, aged 55, Southern Railway repair foreman at Selma, was run over and instantly killed by a freight train on the local yards this morning. The body, which was this afternoon turned over to a son who came from Wilson, was horribly mangled, a long string of cars having passed across the chest and dismembered the corpse.

Mr. Warren came here on an early morning train from the south and the belief is that rather than wait for the morning train east he attempted to board a freight which was pulling out of the local yards for Selma. Yardmen, witnessed his unsuccessful attempt to catch the train while moving at a right smart pace, saw him lose his hold and his body drop between the cars and across the rail. They were unable to stop the train, however, and some fifteen cars moved over the body. The victim of the accident was dead when help reached him.

It is said the deceased leaves a wife at Selma and several children at that place and at Wilson. The body was this afternoon carried to Selma and interment will be made there tomorrow.

## BENSON NEWS.

Benson, April 2.—Mr. William Canaday, of Goldsboro, N. C., was here Saturday and Sunday with relatives.

Mr. J. M. Barber went to Four Oaks Tuesday on business.

Mr. J. W. Whittenton was in Smithfield Tuesday for a short while. Messrs. Mayo Bailey and Ben Welons, of Chapel Hill, were here Sunday with friends, returning to the University Monday.

Chief of Police, Will Weeks, was in Raleigh Tuesday on business.

Mr. J. B. Hardee, of Pleasant Grove township, was here Monday.

Miss Leola Smith left Saturday for Raleigh where she will visit several days.

Mrs. E. A. Stewart and Mrs. J. R. Barbour left Saturday for Laurinburg and Hamlet.

Mr. W. C. Woodall and Miss Emily Canaday left for Wilmington where they will attend the marriage of Rev. P. D. Woodall which takes place today.

Mrs. E. L. Hall and daughter, Miss Jewel, and Miss Virginia Upton, of Fayetteville, are here several days with Mrs. Hall's mother, Mrs. Sarah Duncan.

Mr. and Mrs. J. G. Cagle returned today from a visit to Mr. Cagle's parents, and will be in Benson for a few days before returning to Latta, S. C., where they will make their home.

Hogs should be kept off the streets of Benson. The law says that this shall be done and somebody should see that the law is enforced. It is annoying to the citizens to have their gardens and yards rooted up and their presence on the streets does not leave the best impression. This matter should be looked after at once.—Benson Spokesman.

The municipal election in Benson will take place May 6th. The citizens of the town should be given a statement of the receipts and disbursements of their taxes. The law says that the commissioners shall annually publish a statement of the moneys received and paid out, and for what purpose paid out, but the city fathers seem to have overlooked the law requiring the published statement. The question is repeatedly asked as to the indebtedness of the town, and if this statement is published the voters would know how their taxes have been expended.

## FARMERS UNION INCORPORATED

The Secretary of State has issued a charter to the Johnston County Farmers Union of Selma; authorized capital, \$100,000, with \$5,000 subscribed for by Geo. T. Pool, J. H. Riley, W. C. Harper, H. N. Myatt & A. Vermont.